



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

OCT 16 2019

PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Karen Davis
Fox Rothschild LLP
Eagleview Corporate Center
747 Constitution Drive, Suite 100, PO Box 673
Exton, PA 19341

Re: Supplemental Request for Information Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, § 9604(e), relating to the San German Groundwater Contamination Site, San German, Puerto Rico

Dear Ms. Davis:

The United States Environmental Protection Agency ("EPA") is charged with responding to releases or threatened releases of hazardous substances, pollutants, and/or contaminants into the environment, and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9675 ("CERCLA"), also known as the "Superfund" law. For your information, a copy of the Superfund law may be found at www.epa.gov/superfund.

This letter seeks your cooperation in providing information and documents related to the contamination of the San German Groundwater Contamination Site ("the Site") and to supplement the information provided in HP Inc.'s November 9, 2015 response and July 29, 2019 supplemental response to EPA's September 16, 2015 Request for Information. We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to the attached Request for Information **within 21 calendar days** of your receipt of this letter.

EPA has documented the release or threatened release of hazardous substances into the environment at the Site. Pursuant to CERCLA, EPA has spent public funds and anticipates spending additional public funds at the Site. Background information concerning the Site was provided to you in EPA's September 16, 2015 Request for Information.

REQUEST FOR INFORMATION

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority to require persons to provide the following: information and/or documents relating to materials generated, treated, stored, or disposed of at, or transported to a facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the attached Request for Information is required by law. In preparing your response to this Request for Information, please follow the instructions provided in Attachment A.

When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return and/or scan and email that Certification to EPA along with your response. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with a Request for Information.

Some of the information EPA is requesting may be considered by you to be confidential business information. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in Attachment A, including the required support of your claim of confidentiality.

If you have information about other parties who may have information that may assist EPA in its investigation of the Site, or may be responsible for the material stored or disposed of at the Site, that information should be submitted within the time frame noted above. Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our Request for Information, you must promptly notify EPA and turn over the additional or different information to EPA.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501-3520.

Your response to this Request for Information, which we encourage you to submit electronically, should be sent to the following:

Henry Guzman, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007-1866
guzman.henry@epa.gov

and to:

Adalberto Bosque
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency, Region 2
City View Plaza II, Suite 7000
#48 Rd 165, km 1.2
Guaynabo, Puerto Rico 00968-8069
bosque.adalberto@epa.gov

If you have any questions regarding this letter, or would like to discuss the matter with EPA, you may call Mr. Bosque at (787) 977-5825 or email him at the email address listed above. Please direct all inquiries from an attorney to Mr. Guzman at (212) 637-3166 or at the email address listed above.

We appreciate your attention to this matter and look forward to your prompt response to this letter.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Eric J. Wilson".

Eric J. Wilson
Deputy Director for Enforcement and Homeland Security
Emergency and Remedial Response Division

Enclosures

ATTACHMENT A

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

DIRECTIONS

1. Answer Every Request Completely. A separate response must be made to each of the information requests set forth in this Request for Information. For each information request contained in **Attachment B** of this letter, if information responsive to this Request for Information is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. Precede each answer with the corresponding number of the information request and the subpart to which it responds.
3. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees and/or agents. Submission of cursory responses when other responsive information is available to you will be considered non-compliance with this Request for Information. Whenever in this Request for Information there is a request to identify a natural person or an entity, state, among other things, the person or entity's full name and present or last known address.
4. Identify Sources of Answers. For each information request, identify (see Definitions) all the persons and documents that you relied on in producing your answer.
5. Inability to Answer or Provide Documents. If you are unable to answer an information request in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any information request, state that person's name and last known address and telephone number and the reason for your belief.
6. Documents. If anything is deleted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the deletion. If a document is requested but is not available, state the reason for its unavailability.
7. Continuing Obligation to Provide and to Correct Information. If additional information or documents responsive to this Request for Information become known or available to you after you respond to this Request for Information, EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to EPA. If after submitting your response, you discover that information you submitted is incorrect, it is necessary that you promptly notify EPA and correct such information.

8. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. Part 2.203(b). To prove your claim of confidentiality, each document must separately address the following points:

- a. the portions of the information alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would be likely to result in substantial harmful effect on your business's competitive position and, if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "CONFIDENTIAL" on all responses and any related documents you assert to be confidential. Confidential portions of otherwise non-confidential documents should be clearly identified. You should indicate a date, if applicable, after which the information need no longer be treated as confidential. Please submit in separate envelopes both a clean and a redacted version of any documents or response for which you make a claim of confidentiality.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

9. Disclosure to EPA Contractor. Information that you submit in response to this Request for Information may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. Part 2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that EPA may disclose all responses to this Request for Information to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Request for Information. Pursuant to 40 C.F.R. Part 2.310(h), private contractors must sign a

contractual agreement that prohibits the disclosure of such information to anyone other than EPA without the prior written approval of each affected business or of an EPA legal office. If you are submitting information that you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) days of receiving this Request for Information.

10. Personal Privacy Information. Personnel and medical files and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."
11. Objections to Requests. If you have objections to some or all the information requests within the Request for Information letter, you are still required to respond to each of the information requests.

DEFINITIONS

The following definitions shall apply to the following words insofar as they appear in this Request for Information.

1. The term "arrangement" means every separate contract or other agreement between two or more persons, whether written or oral.
2. The term "Company" shall mean HP Inc. and its predecessors and successors, as they were or currently are named and constituted, and all subsidiaries, divisions, affiliates, and branches. Digital Equipment Corporation shall mean the company incorporated in Massachusetts in 1957. Digital Equipment Corporation de Puerto Rico shall mean the company incorporated in Delaware in 1968. Digital Equipment Caribbean, Inc. shall mean the company incorporated in Delaware in 1984.
3. The term "disposal" shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any material and/or hazardous substance into or on any land or water so that such material and/or hazardous substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.
4. The term "documents" includes any written, recorded, computer-generated, visually, or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.
5. The term "entity" or "entities" refers to persons, individuals, companies, partnerships, or any other type of business association.

6. The term "Facility" or "Facilities" shall mean the locations of the former Digital Equipment Corporation or Digital Equipment Corporation de Puerto Rico facilities located at Road 362 KM 1.0 in San German, Puerto Rico 00639 and the Retiro Industrial Park in San German, Puerto Rico 00639.
7. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances. The substances that have been designated as hazardous substances pursuant to Section 102(a) of CERCLA, 42 U.S.C. § 9602(a), (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 C.F.R. Part 302.
8. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. § 6903(5).
9. The term "identify" means, with respect to a natural person, to set forth the person's full name, present or last known employer, business address, and business telephone number, as well as the present or last known home address and home telephone number. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), the term "identify" means to provide its full name, address, and any affiliation or contractual relationship it has with the individual and/or Company to whom/which this Request for Information is addressed.
10. The term "industrial waste" shall mean any solid, liquid, or sludge or any mixtures thereof that possess any of the following characteristics:
 - a. it contains one or more "hazardous substances" (at any concentration) as defined in Section 101(14) of CERCLA;
 - b. it is a "hazardous waste" as defined in Section 1004(5) of RCRA;
 - c. it has a pH less than 2.0 or greater than 12.5;
 - d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it easily ignites or explodes;
 - g. it is an industrial waste product;
 - h. it is radioactive;
 - i. it is an industrial treatment plant sludge or supernatant;
 - j. it is an industrial byproduct having some market value;
 - k. it is coolant water or blowdown waste from a coolant system;

- l. it is a spent product that could be reused after rehabilitation; or
 - m. it is any material that you have reason to believe would be toxic if either ingested, inhaled, or placed in contact with skin.
- 11. The term "material" or "materials" means any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.
 - 12. The term "person" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.
 - 13. The term "release" shall have the same definition as that contained in Section 101(22) of CERCLA, and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including but not limited to the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
 - 14. The term "Site" shall mean the San German Groundwater Contamination Site, including a contaminated plume of groundwater originating at the Retiro Industrial Park and its surrounding areas and the sources thereof.
 - 15. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including but not limited to containers for temporary or permanent holding of such wastes.
 - 16. The term "you" shall mean the addressee of this Request for Information.
 - 17. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions shall apply.

ATTACHMENT B

REQUEST FOR INFORMATION

1. Please indicate whether Digital Equipment Corporation has ever operated at a location in Puerto Rico other than the Facilities. If yes, provide the correct names and addresses of Digital Equipment Corporation's other facilities where Digital Equipment Corporation carried out its operations. Provide the dates of operation of each other facility and describe the nature of each other facility's operation (e.g., manufacturing, storage, disposal, landfill).
2. Indicate whether Digital Equipment Corporation de Puerto Rico has ever operated at a location in Puerto Rico other than the Facilities. If yes, provide the correct names and addresses of Digital Equipment Corporation de Puerto Rico's other facilities where Digital Equipment Corporation de Puerto Rico carried out its operations. Provide the dates of operation of each other facility and describe the nature of each other facility's operation (e.g., manufacturing, storage, disposal, landfill).
3. Identify by building, lot, or project number each location within the Retiro Industrial Park where Digital Equipment Corporation ever operated or otherwise conducted business.
4. Identify by building, lot, or project number each location within the Retiro Industrial Park where Digital Equipment Corporation de Puerto Rico ever operated or otherwise conducted business.
5. Identify all subsidiaries of Digital Equipment Corporation that ever operated at a location in Puerto Rico.
6. Indicate the approximate number of Puerto Rico-based employees employed by Digital Equipment Corporation in each year during the years 1968 through 1995.
7. Indicate the approximate number of Puerto Rico-based employees employed by Digital Equipment Corporation de Puerto Rico in each year during the years 1968 through 1995.
8. Please explain in detail the nature of Digital Equipment Corporation's operations and business in Puerto Rico during the years 1968 through 1998.
9. Please explain in detail the nature of Digital Equipment Corporation de Puerto Rico's operations and business in Puerto Rico during the years 1968 through 1995.
10. Please explain in detail the nature of the operations and business conducted by Digital Equipment Corporation (Puerto Rico Branch) in Puerto Rico.
11. Please explain the relationship between Digital Equipment Corporation and Digital Equipment Corporation (Puerto Rico Branch).

12. Please explain the relationship between Digital Equipment Corporation de Puerto Rico and Digital Equipment Corporation (Puerto Rico Branch).
13. According to records filed at the Puerto Rico Secretary of State, Digital Equipment Caribbean, Inc. (Registration No. 6729F) was incorporated under the laws of Delaware on March 8, 1984 to take over the business, including the assets and liabilities, of the former Digital Equipment Corporation – Puerto Rico Branch. Please explain the circumstances surrounding Digital Equipment Caribbean, Inc.'s take-over of the former Digital Equipment Corporation – Puerto Rico Branch. Explain the relationship between Digital Equipment Caribbean, Inc. and Digital Equipment Corporation. Explain the relationship between Digital Equipment Caribbean, Inc. and Digital Equipment Corporation de Puerto Rico.
14. Indicate whether Digital Equipment Corporation de Puerto Rico was registered to do business in Massachusetts.
15. Indicate whether Digital Equipment Corporation de Puerto Rico maintained an office in Maynard, Massachusetts.
16. Indicate whether any employees, officers, or directors of Digital Equipment Corporation de Puerto Rico were primarily located in Maynard, Massachusetts, and provide the names and titles of these individuals.
17. Please provide personnel records (including but not limited to employment contracts, pay stubs, and separation agreements) for each of the individuals listed in Attachment C to this Information Request and indicate whether (i) they were employed by Digital Equipment Corporation; (ii) they were employed by Digital Equipment Corporation de Puerto Rico; and (iii) they were an officer or director of Digital Equipment Corporation and/or Digital Equipment Corporation de Puerto Rico.
18. Identify all meetings and communications which the officers, directors, or employees of Digital Equipment Corporation participated in or attended regarding the operations of the Facilities. Please provide any notes and records created as a result of such meetings and communications.
19. Identify what, if any, reports, statements, or other documents the officers or directors of Digital Equipment Corporation wrote or received regarding the operations of the Facilities and describe what, if any, information the officers and directors received concerning the operations of the Facilities. Please provide copies of such reports, statements, or other documents.
20. Identify any employees, officers, or directors of Digital Equipment Corporation who participated in discussions or other communications regarding any decision concerning

the use, handling, storage, treatment, or disposal of hazardous substances, hazardous waste, or industrial waste at the Facilities, or any decision concerning environmental compliance at the Facilities.

21. State whether any officers or directors of Digital Equipment Corporation approved, authorized, discussed, or had knowledge or awareness of any waste treatment methods, equipment, or devices used at the Facilities, any storage of waste materials at the Facilities, or any arrangement to dispose of wastes from the Facilities. Describe the nature and extent of such approval, authorization, discussion, knowledge, or awareness.
22. Indicate whether any reports or other communications discussing waste storage, treatment, or disposal practices at the Facilities were ever received by officers or directors of Digital Equipment Corporation. If your answer to this request is in the affirmative, indicate (i) when such reports were received, (ii) who the originator of such reports was, (iii) who such reports were directed to, and (iv) the content of such reports. If such reports are in your possession or control, submit copies of such reports to EPA.
23. Describe the circumstances surrounding the dissolution of Digital Equipment Corporation de Puerto Rico, including in your answer the following:
 - a. the exact date of dissolution;
 - b. the names and addresses of any and all shareholders at the time of dissolution;
 - c. the value of all assets distributed to each shareholder as a result of the dissolution;
 - d. the final disposition or distribution of all assets, liabilities, and shares of Digital Equipment Corporation de Puerto Rico;
 - e. the identity of all parties to any transactions relating to or arising out of the dissolution; and
 - f. the identity of all documents relating to the dissolution.
24. Identify the successor entity to which assets and liabilities of the dissolved Digital Equipment Corporation de Puerto Rico were transferred for the purpose of prosecuting and defending suits by or against Digital Equipment Corporation de Puerto Rico after its dissolution.
25. Please provide all notices concerning the dissolution of Digital Equipment Corporation de Puerto Rico to persons with claims against the dissolved company, or such notices published in newspapers of general or national circulation.
26. Please provide all petitions and other court filings concerning the amount and form of security reasonably likely to provide compensation for any claim against Digital Equipment Corporation de Puerto Rico.

27. Please provide all documents concerning any plan of distribution pursuant to which Digital Equipment Corporation or Digital Equipment Corporation de Puerto Rico paid or made provisions to pay claims and obligations.
28. Identify what, if any, reports, statements, or other documents the officers or directors of Digital Equipment Corporation wrote or received regarding the dissolution of Digital Equipment Corporation de Puerto Rico and describe what, if any, information the officers and directors received concerning the dissolution. Please provide copies of such reports, statements, or other documents.
29. Identify any employees, officers, or directors of Digital Equipment Corporation who participated in discussions or other communications regarding the decision to dissolve Digital Equipment Corporation de Puerto Rico.
30. State whether any officers or directors of Digital Equipment Corporation approved, authorized, discussed, or had knowledge or awareness of the decision to dissolve Digital Equipment Corporation de Puerto Rico. Describe the nature and extent of such approval, authorization, discussion, knowledge, or awareness.
31. Describe any asset purchase agreements, whereby some or all of the assets of Digital Equipment Corporation de Puerto Rico were ever sold to any other entity, including the date(s), the companies involved, and the terms of such asset purchase agreement(s).
32. Provide a history (e.g., payment dates, amounts received, etc.) of dividends received by Digital Equipment Corporation from Digital Equipment Corporation de Puerto Rico resulting from Digital Equipment Corporation's ownership of capital stock in Digital Equipment Corporation de Puerto Rico.
33. Indicate whether Digital Equipment Corporation ever made any loan(s) to Digital Equipment Corporation de Puerto Rico. If so, provide complete information pertaining to all such loan(s), including copies of all loan documentation (i.e., loan agreements, promissory notes, guarantees, security agreements, financing statements, amortization/payment tables) and complete information pertaining to any assignment, extension, composition, restructuring, etc. of such loan(s). For the purposes of this request, "loan" shall include the establishment of a line of credit by Digital Equipment Corporation or any of its subsidiaries for the use and/or benefit of Digital Equipment Corporation de Puerto Rico, whether or not such line of credit has ever been drawn on.
34. Indicate whether Digital Equipment Corporation de Puerto ever made any loan(s) to Digital Equipment Corporation. If so, provide complete information pertaining to all such loan(s), including copies of all loan documentation (i.e., loan agreements, promissory notes, guarantees, security agreements, financing statements, amortization/payment tables) and complete information pertaining to any assignment, extension, composition, restructuring, etc. of such loan(s). For the purposes of this request, "loan" shall include

- the establishment of a line of credit by Digital Equipment Corporation de Puerto Rico for the use and/or benefit of Digital Equipment Corporation, whether or not such line of credit has ever been drawn on.
35. Indicate whether Digital Equipment Corporation ever acted directly or indirectly to guarantee any loan made to Digital Equipment Corporation de Puerto Rico. If so, provide complete information regarding such arrangement, including copies of all documents pertaining to such arrangement.
 36. Indicate whether Digital Equipment Corporation ever acted directly or indirectly to guarantee any lease entered into by Digital Equipment Corporation de Puerto Rico. If so, provide complete information regarding such arrangement, including copies of all documents pertaining to such arrangement.
 37. Indicate whether any of the employees, officers, and/or directors of Digital Equipment Corporation de Puerto participated in any manner in any savings programs, employee stock ownership plans, pension plans, deferred compensation or other arrangements offered or sponsored by Digital Equipment Corporation or any of its subsidiaries. If so, explain in detail.
 38. Indicate whether Digital Equipment Corporation de Puerto Rico was required to, or received, Digital Equipment Corporation's approval or concurrence or the concurrence of any of Digital Equipment Corporation's subsidiaries when making expenditures. If so, explain in detail.
 39. Indicate whether Digital Equipment Corporation or any of Digital Equipment Corporation's subsidiaries paid for goods and services on behalf of Digital Equipment Corporation de Puerto Rico. If so, explain in detail.
 40. Indicate whether Digital Equipment Corporation de Puerto Rico's employees were ever employed by Digital Equipment Corporation. If so, provide each such employee's name, job title, and dates of employment.
 41. Indicate whether Digital Equipment Corporation de Puerto Rico and Digital Equipment Corporation had common officers or directors. If so, provide the names and dates of service of such directors.
 42. Indicate whether any materials, including hazardous substances, hazardous wastes, and/or industrial wastes, were ever transported between the Facility located at Road 362 KM 1.0 in San German, Puerto Rico 00639 and any of the buildings or lots located in the Retiro Industrial Park in San German, Puerto Rico 00639.
 43. Exhibit 02 of HP Inc.'s July 29, 2019 supplemental response to EPA's September 16, 2015 information request references "a spill of Sulfuric Acid Technical grade at the

Digital's Building #6 stock room 186 area." Please identify and describe the location of the Building #6 stock room 186 area. Please identify all hazardous substances, hazardous wastes, and/or industrial wastes stored in the aforementioned Building #6. Provide any supporting documentation relevant to this request.

44. An October 1990 RCRA Facility Assessment Report was submitted as Exhibit 002 to HP Inc.'s June 28, 2019 supplemental response to EPA's March 28, 2019 information request regarding the PROTECO Site. Please respond to the following requests regarding that report:

- a. Provide all appendices and exhibits referenced in the report;
- b. Provide copies of manifests or other documentation of the shipment of spent solvents to Safety Kleen EnviroSystems for disposal (see HP-000023); and
- c. Identify and describe the location (and provide a map if such exists) of each of the following:
 - i. The original Hazardous Waste Container Storage Area (see HP000008);
 - ii. The Container Storage Area rehabilitated in 1987 for solely storage of ignitable wastes (see HP000008);
 - iii. The Wastewater Treatment Plant (see HP000008);
 - iv. The four underground tanks used for the storage of diesel (see HP000008);
 - v. The storage area with a capacity to hold 95 fifty-five gallon drums (see HP-000010);
 - vi. The Board Shop (see HP-000010); and
 - vii. The eight identified Solid Waste Management Units (see HP-000026).

45. According to the October 1990 RCRA Facility Assessment Report, Digital Equipment Corporation and/or Digital Equipment Corporation de Puerto Rico installed a series of trenches and a collection well in or around November 1983 to control seepage from the discharge of process water from the Board Shop (see HP-000010). Please indicate the location of the trenches and whether the trenches were lined and identify the ultimate destination of the process water.

46. For each of the following spills identified in the October 1990 RCRA Facility Assessment Report, indicate (i) the date the spill occurred, (ii) the location (*e.g.*, building or lot number) of the spill, (iii) the name or type of substance spilled, (iv) the volume of substance spilled, (v) whether monitoring was implemented as a result of the spill; and (vi) whether a remedial action was implemented in response to the spill:

- a. The spill of process water through the board shop floor to the underlying soils (see HP-000010);
- b. The spill of diesel that occurred when a pipeline from the underground storage tanks connected to an aboveground storage tank broke down (see HP-000010);
- c. The spill of wastewater at the process waste treatment plant (see HP-000013);

- d. The spill of concentrated sulphuric acid on the floor at the building no. 2 exterior loading/unloading chemical ramps platform area (see HP-000014-HP000015);
 - e. The spill of spent etcher solution (see HP-000015);
 - f. The spill of sulphuric acid from DEC's Building #6 stock room 186 area (see HP-000016);
 - g. The accidental spillage of ammoniacal/copper bearing solution that occurred at Road #362 intersection 119 (see HP-000016); and
 - h. Any other spill or release of hazardous substances at the Facilities.
47. According to the October 1990 RCRA Facility Assessment Report, Digital Equipment Corporation and/or Digital Equipment Corporation de Puerto Rico established a monitoring sampling program that included a bimonthly sampling of DEC well #3 and a weekly sampling of the collection well. (See HP-000011). Please identify the locations of DEC well #3 and the collection well. Indicate whether parameters other than copper, nickel, chromium, and lead were monitored, and, if so, identify the parameters.
48. According to EPA records, Digital Equipment Corporation and/or Digital Equipment Corporation de Puerto Rico sold facility equipment from the facility located at or near KM 1.0 Road 362 San German, PR to an entity by the name of Circo Caribe and/or Circo Craft in January 1993. Please submit all documents relating to the Circo Caribe and/or Circo Craft transaction, including all documents pertaining to any agreements, express or implied, for the purchasing corporation to assume the liabilities of the selling corporation. Identify the liabilities retained by Digital Equipment Corporation and/or Digital Equipment Corporation de Puerto Rico pursuant to this transaction. Explain whether those liabilities were subsequently transferred or assigned.
49. According to records filed at the Puerto Rico Secretary of State, Digital Equipment Corporation and Digital Equipment Corporation de Puerto Rico had an agreement governing the treatment of research and engineering expenses for the purposes of financial statements. Please describe that agreement and provide supporting documentation.
50. According to records filed at the Puerto Rico Secretary of State, \$209,755,000 in inventory purchases between the Digital Equipment Corporation and Digital Equipment Corporation took place in 1990. Please describe what inventory purchases occurred between Digital Equipment Corporation and Digital Equipment Corporation de Puerto Rico and provide supporting documentation. Describe what happened to Digital Equipment Corporation de Puerto Rico's remaining inventory prior to its dissolution being authorized in 1993. Describe what happened to Digital Equipment Corporation de Puerto Rico's remaining inventory after its dissolution was authorized and prior to the time that it was dissolved in 1995.
51. According to records filed at the Puerto Rico Secretary of State, prior to 1988, Digital Equipment Corporation de Puerto Rico elected and accounted for income under the cost

- sharing method provided by Section 936(h) of the Internal Revenue Code. During 1988, Digital Equipment Corporation de Puerto Rico elected to change its method of determining income under Section 936(h) from the cost sharing method to the profit split method to better reflect the allocation of income between Digital Equipment Corporation de Puerto Rico and Digital Equipment Corporation. Please explain Digital Equipment Corporation de Puerto Rico's use of the cost sharing method and the profit split method as well as its election to change methods in 1988. Explain the aforementioned allocation of income between Digital Equipment Corporation de Puerto Rico and Digital Equipment Corporation.
52. Please provide all documents, including court filings, affidavits, interview transcripts, deposition transcripts, settlement agreements, and other records related to the U. S. Internal Revenue Service's investigation concerning alleged improper use by Digital Equipment Corporation of the Caribbean tax exemption under Section 936 of the Internal Revenue Code, 26 U.S.C. § 936, or related tax regulations.
53. Please provide all documents concerning products sold or transferred through intercompany transactions between Digital Equipment Corporation and Digital Equipment Corporation de Puerto Rico, and between Digital Equipment Corporation and any other affiliated company provided in your answer to Requests #1 and #2, above. Include in your answer all information and materials concerning the value of such goods and the price paid by Digital Equipment Corporation for such goods.
54. According to records filed at the Puerto Rico Secretary of State, as of June 27, 1981, Digital Equipment Corporation de Puerto Rico was owed a long-term note receivable from Digital Equipment Corporation in the amount of \$80,000,000, which was to be repaid in payments of \$3,250,000 due each year through 1992, with the remaining balance due in 1993. In a financial statement for 1982, the amount listed under notes receivable was \$76,750,000. In a financial statement for 1983, the amount listed under notes receivable was "—" (i.e., it was left blank). Please describe the circumstances that occurred between 1982 and 1983 that resulted in the elimination or nondisclosure of notes receivable from Digital Equipment Corporation on Digital Equipment Corporation de Puerto Rico's 1983 financial statement.
55. According to records filed at the Puerto Rico Secretary of State, as of June 30, 1990, Digital Equipment Corporation de Puerto Rico was owed \$52,891,000 from affiliates. In a financial statement for 1991, the amount listed under due from affiliates was \$5,481,000. Please describe the circumstances that occurred between 1990 and 1991 that resulted in the reduction of the amount due from affiliates on the 1991 financial statement. Indicate whether Digital Equipment Corporation de Puerto Rico was owed any money from affiliates at the time its dissolution was authorized in 1993. Indicate whether Digital Equipment Corporation de Puerto Rico was owed any money from affiliates at the time it was dissolved in 1995.

56. According to records filed at the Puerto Rico Secretary of State, Digital Equipment Corporation (Puerto Rico Branch) paid \$120,751,000, \$91,119,000, and \$62,466,000 in total rental expense for leases (principally for leased regional sales offices and manufacturing space) for the fiscal years that ended on July 3, 1982, June 27, 1981, and June 30, 1979, respectively. Identify the leases for which Digital Equipment Corporation (Puerto Rico Branch) paid these rental expenses. Identify in detail (building/lot numbers) the locations in Puerto Rico leased by Digital Equipment Corporation (Puerto Rico Branch).
57. Please provide all documents, if not already requested above, that support your responses to Requests #1 - #56, above.
58. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any request contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
59. State the name, title, and address of each individual who assisted or was consulted in the preparation of the response to this Request for Information. In addition, state whether this person has personal knowledge of the information in the answers provided.

ATTACHMENT C

1. Americo Abadia
2. Luis Abbot
3. Vernon Alden
4. John Alexanderson
5. Pedro Almodovar Nazario
6. Abraham Alvarado Morales
7. Franklin Atter
8. Howard Austen
9. Greg Bacon
10. Tony Bader
11. Chuck Baldridge
12. Francis Barton
13. Ray Baum
14. Lon Beaupre
15. George Beebe
16. Dick Berube
17. Laurie Best
18. James Bishop
19. Fred Bowers
20. J. Bukkheygyi
21. Don Busiek
22. Ron Cajolet
23. Philip Caldwell
24. Ray Carlson
25. George Chamberlain
26. Guido Ciannavei
27. Rhoda Cobb
28. Tom Cook
29. B. Cote
30. A.R. Craffey
31. Gene Cronin
32. Henry Crouse
33. Francisco Cruz
34. James Cudmore
35. Arnaud de Vitry
36. William Demmer
37. Dave Demoranville
38. Al Devault
39. Jose Diaz
40. Robert DiFazio
41. Robert Dill
42. Georges Doriot
43. Andy Dufresne
44. Hernando Echavez
45. Jeannette Escabi
46. Dick Esten
47. Marietta Ethier
48. Robert Everett
49. Jaime Ferra
50. Dick Finn
51. J. Fisher
52. Pier-Carlo Folotti
53. Samuel Fuller
54. Tony Garcia
55. Don Gates
56. Guido Giannavei
57. Rose Giordano
58. Robert Glorioso
59. Laura Goldin
60. Al Gordon
61. Jim Gracie
62. David Grainger
63. Stephen Greene
64. John Gregory
65. Jack Grieves
66. Allen Hanson
67. William Hanson
68. Jack Harrigan
69. Dick Heaton
70. William Heffner
71. G. Helm
72. Bob Hickman
73. Winston Hindle
74. Bob Hopley
75. Chip Huber
76. Robert Hughes
77. Donato Infante
78. Ilene Jacobs
79. Peter Johnson
80. Walt Johnson
81. William Johnson
82. Jeffrey Kalb
83. Frank Kalwell
84. Pete Kaufmann
85. Cy Kendrick
86. Dick King
87. Dave Knoll
88. Edward Kramer

- | | |
|-------------------------------|-----------------------|
| 89. William Krasnow | 137. Iris Rivera |
| 90. John LaBate | 138. Jorge Rodriguez |
| 91. Rafael Lama | 139. Juan Rodriguez |
| 92. Sam Landol | 140. Rafael Rodriguez |
| 93. Jeff Levine | 141. Jim Rogers |
| 94. Luis Lopez | 142. Pablo Rosado |
| 95. Pedro Lopez | 143. Dorothy Rowe |
| 96. Gerry Lordi | 144. Bruce Ryan |
| 97. Angel Luis | 145. Bob Sambolin |
| 98. Tom MacDonald | 146. Lillian Santiago |
| 99. John Mackeen | 147. F. Saviers |
| 100. Peter Mackey | 148. Edward Schwartz |
| 101. Fred Madera | 149. Joel Schwartz |
| 102. William Malley | 150. Angel Serrano |
| 103. Philip Markell | 151. Godfrey Shingles |
| 104. Millie Marshall | 152. Charles Shue |
| 105. Nick Mazzarese | 153. Alfred Sidel |
| 106. Edward McDonough | 154. Thomas Siekman |
| 107. Mike McGraw | 155. George Silva |
| 108. William McLean | 156. Ed Simeone |
| 109. Kevin Melia | 157. John Sims |
| 110. Paul Milbury | 158. John Smith |
| 111. Rod Mooney | 159. Peter Smith |
| 112. Miguel Morales Ramos | 160. Joe St. Amour |
| 113. Albert Mullin | 161. David Stone |
| 114. Ivan Nazario | 162. William Strecker |
| 115. Miguel Nazario | 163. Konrad Streuli |
| 116. Jerry Nelson | 164. Richard Testa |
| 117. Kenneth Olsen | 165. Dave Thorpe |
| 118. Stan Olsen | 166. Charlie Tompkins |
| 119. James Osterhoff | 167. Wilson Torres |
| 120. Robert Palmer | 168. John Trebendis |
| 121. Margarita Perez | 169. Harold Trenouth |
| 122. Jean-Claude Peterschmitt | 170. Luis Ureta |
| 123. Jack Pinder | 171. Luis Velez |
| 124. Bill Planas | 172. Lakhan Verma |
| 125. Bill Plante | 173. Harvey Weiss |
| 126. Rudy Plaue | 174. Dave Widder |
| 127. Richard Poulsen | 175. Nase Wilkins |
| 128. Dick Price | 176. William Witmore |
| 129. Don Pucci | 177. Carl Wolfe |
| 130. Fernando Quinones | 178. George Wood |
| 131. Hiram Quinones | 179. Phil Wood |
| 132. Ralph Renzi | 180. Jan Woulter |
| 133. Jorge Reyes | 181. Richard Yen |
| 134. Dick Reynolds | 182. Donald Zereski |
| 135. Dick Rhodes | |
| 136. Larry Ricci | |

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State/Commonwealth of _____

County/Municipality of _____

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this

_____ day of _____ 2019.

Notary Public